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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,978	03/15/2000	Sean Nolan	004444.P001	9734

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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 12/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/526,978

Applicant(s)
Nolan

Examiner
Khanh Dinh

Art Unit
2155



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 27, 2000
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Berstis et al US pat. No.6,092,100.

As to claim 1, Berstis discloses a method comprising:

storing data on a server (40 fig.3) coupled to receive requests from client devices (42 fig.3)
and generating a set of one or more predetermined search requests corresponding to

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searches of the data (*i.e., returning a list of URLs that is closely matched the request, see abstract, fig.3, col.3 line 54 to col.4 line 65 and col.5 line 12 to col.6 line 45*).

performing the set of predetermined search requests and storing results of the set of predetermined search requests on the server and providing a selected search (*i.e., performing a fuzzy search*) and providing a selected search result in response to a corresponding search request being received from one of the client devices (*i.e., processing the search request by returning a list of matched URLs, see col.6 line 46 to col.7 line 58*).

As to claim 2, Berstis discloses all requests from a particular user during a session are directed to the server (see col.5 line 12 to col.6 line 46).

As to claim 3, Berstis discloses all requests that occur between a first request of the session and a predetermined period of time during which no requests are received by the server (*i.e., determined if the user has made a selection within a given time out, see fig.5, col.7 line 3 to col.8 line 55*).

As to claim 4, Berstis discloses the data and information related to the session are maintained in volatile memory of the server (*i.e., storing data in the computer memory, see col.9 lines 9-64*).

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As to claims 5-7, Berstis discloses one or more commonly performed search, one or more searches for a category of information and for use with an electronic commerce World Wide Web sites (see figs.5, 7B, col.5 line 50 to col.6 line 45 and col.7 line 3 to col.8 line 55).

Claims 8-14 are rejected for the same reasons set forth in claims 1-7 respectively.

As to claims 15 and 18, Berstis discloses a method comprising:

receiving a request from a client device and directing the request to a server from a group of one or more (see fig.3, abstract, col.3 line 54 to col.4 line 65).

storing information related to the client access in a volatile memory of the server (*i.e.*, *storing data in the computer memory*, see col.9 lines 9-64).

maintaining the information related to the client access in the volatile memory until a predetermined period of inactivity passes (*i.e.*, *determined if the user has made a selection within a given time out*, see fig.5, col.7 line 3 to col.8 line 55).

As to claims 16 and 19, Berstis discloses directing all requests from the client device to the server until a predetermined period of inactivity passes (see col.7 line 3 to col.8 line 65).

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As to claims 17 and 20, Berstis discloses directing requests from the client device during multiple sessions to the server, if the multiple sessions start before the predetermined period of inactivity passes (see fig.5, col.5 line 12 to col.6 line 65 and col.7 line 3 to col.8 line 55).

Other prior art cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Syeda-Mahmood, US pat. No.5,983,218.
 - b. Stern, US pat. No.6,486,892.
 - c. Syeda-Mahmood, US pat. No.5,920,856.

Conclusion

5. Claims 1-20 are rejected.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone number for this group is (703) 746-7239.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U.S.C. Sect.133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
12/17/2002


PATRICE WINDER
PRIMARY EXAMINER